

REMARKS

In the Decision on Appeal decided on August 24, 2009 (the “Decision”), the Board of Patent Appeals and Interferences (“the Board”) affirmed the Examiner’s rejections of claims 1-13 and 15-22, and reversed the Examiner’s rejection of claims 23-32. In view of the Decision, Applicant hereby cancels claims 1-13 and 15-22. Upon entry of these amendments, claims 23-32 will be pending in the present application and are believed to be in condition for allowance. In view of the foregoing amendments and following remarks, Applicant respectfully requests reconsideration and allowance of all pending claims.

Interview Summary

On October 27, 2009, the Examiner contacted the Applicant’s representative, Steven J. Sinclair, Jr., to discuss amendment and allowance of the pending claims. During the interview, the Examiner suggested that Applicant cancel claims 1-13 and 15-22 to place the application in condition for allowance.

Affirmed Rejections of Claims 1-13 and 15-22

In the Decision, the Board affirmed the Examiner’s rejection of claims 1-5, 7-11, 13, and 15-22 under 35 U.S.C. § 103(a) as being unpatentable over Sarno, U.S. Publication No. 2002/0042751 (hereinafter “Sarno”) in view of Jamroga et al., U.S. Patent No. 6,574,742 (hereinafter “Jamroga”); affirmed the Examiner’s rejection of claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Sarno in view of Jamroga, and further in view of Wong et al., U.S. Patent No. 6,260,021 (hereinafter “Wong”); and affirmed the Examiner’s rejection of claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Sarno in view of Jamroga, and further in view of Funahashi, U.S. Patent No. 6,820,100 (hereinafter “Funahashi”). By the present Response, Applicant has canceled claims 1-13 and 15-22, thereby rendering any outstanding rejections of claims 1-13 and 15-22 moot.

Reversed Rejections of Claims 23-32

In the Decision, the Board reversed the Examiner's rejection of claims 23-31 under 35 U.S.C. § 103(a) as being unpatentable over Sarno in view of Jamroga; and reversed the Examiner's rejection of claim 32 under 35 U.S.C. § 103(a) as being unpatentable over Sarno in view of Jamroga, and further in view of Funahashi. Because no new grounds of rejection have been set forth with regard to claims 23-32, Applicant hereby submits that these claims are presently in condition for allowance. As such, Applicant respectfully requests withdrawal of the 35 U.S.C. § 103 rejections and allowance of claims 23-32.

Conclusion

In view of the remarks and amendments set forth above, Applicant respectfully submits that all pending claims are presently in condition for allowance. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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